

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE AURORA DAIRY CORP.)	
ORGANIC MILK MARKETING)	Case No. 4:08MD01907 ERW
AND SALES PRACTICES LITIGATION)	ALL CASES

MEMORANDUM AND ORDER

On March 28, 2008, this Court held an initial scheduling conference in which arguments were heard on various case management issues, including the appointment of lead counsel and liaison counsel. The Court granted Plaintiff's request for additional briefing, and ordered that a response to Motion of the KTHB Group to Appoint Two Co-Lead Counsel, an Executive Committee and Liaison Counsel for the Putative Class [doc. #6] be filed within seven days and that a reply be due three days later.¹ This order extends the deadlines proposed at the hearing on March 28, 2008.

To address the Court's responsibility to control fees and costs and preserve funds for class members, both the KTHB Group and the National Plaintiffs Group are to file information on attorney compensation for both proposed lead counsel and liaison counsel. This should include information on fees charged in the attorney's last class action lawsuit and proposed fees for this action. This information is to be filed under seal. Both Groups should electronically submit a Notice of Filing Under Seal to the Court on Wednesday, April 9, 2008, at 3:00 p.m., and these documents should then be faxed to the Court at (314) 244-7469.

Accordingly,

¹ This additional briefing should include information on the need for a Steering Committee, and the proposed role for the Steering Committee.

IT IS HEREBY ORDERED a Notice of Filing Under Seal should be submitted electronically to the Court on Wednesday, April 9, 2008, at 3:00 p.m., and that relevant information on attorney compensation then be faxed to the Court at (314) 244-7469.

IT IS FURTHER ORDERED that Motion for Extension of Time [doc. #17] is **GRANTED**. A response to Motion of the KTHB Group to Appoint Two Co-Lead Counsel, an Executive Committee and Liaison Counsel for the Putative Class [doc. #6] is due April 9, 2008, and a reply must be filed no later than April 14, 2008.

IT IS FURTHER ORDERED that a Consolidated Complaint be filed on May 15, 2008, or within 30 days of the appointment of lead counsel, whichever is later.

IT IS FURTHER ORDERED that Defendants initial responsive pleading be filed June 30, 2008, or within 45 days of the filing of the Consolidated Complaint, whichever is later.

IT IS FURTHER ORDERED that a Rule 16 Conference will be held approximately 30 days after the appointment of lead counsel. Deadlines for Rule 26(a) disclosures along with a schedule for motions and discovery will be set at that time.

IT IS FURTHER ORDERED that all discovery will be stayed until the Rule 16 Conference is held. This stay encompasses the eight cases in which Defendants have already filed an Answer.

IT IS FURTHER ORDERED that within 10 days of the appointment of lead counsel, counsel for Plaintiffs and Defendants should meet and confer regarding the preservation of documents and electronic materials, confidentiality issues, and protective orders.


IT IS FURTHER ORDERED that any objections to venue will be preserved until after the Court rules on any dispositive motions that are filed in this action.

IT IS FURTHER ORDERED that the Organic Consumers Association's Motion for Leave to File an *Amicus Curiae* Brief and Supporting Memorandum [doc. #35] is **GRANTED**.

IT IS FURTHER ORDERED that the Center for Food Safety's Motion for Leave to File an *Amicus Curiae* Brief and Supporting Memorandum [doc. #36] is **GRANTED**.

IT IS FURTHER ORDERED that based upon the prospective filing of a Consolidated Complaint, the Stipulated Request for Extension of Time [doc. #39] is **DENIED, as MOOT**.

Dated this 3rd Day of April, 2008.

A handwritten signature in black ink, appearing to read "E. Richard Webber", is written over a horizontal line.

E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE